IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

SUIT NO.3388 OF 2004

Jagdeep Kapoor .. Plaintiff

versus

Sharuskie Mktg Consul.Ltd & ors .. Defendants

Mr.Virag Tulzapurkar i/b DSK Legal for Plaintiff.
Mr.V.R.Dhond i/b H.W.Kane for Defendant nos. 1 & 2
Mr.Sanjay Kher i/b Mr.Rahul Kadam for Defendant no.3

CORAM : D.G. KARNIK, J

DATED : 4th February, 2005.

P.C:-

1. Learned counsel for the plaintiff seeks leave to withdraw the suit against the defendant nos. 4 and 5 unconditionally. Leave granted. Suit against the defendant nos. 4 and 5 disposed of as withdrawn.

2. Learned counsel for the parties hand in the consent terms which are signed by Mr. Mustafa Saifuddin Advocate for the plaintiff. Mr. H.W.Kane

Advocate for defendant nos. 1 and 2 and Mr. Rahul Kadam Advocate for defendant no.3. Consent terms are also signed by Mr. Jagdeep Kapoor plaintiff no. 1 who is personally present in court and is identified by his learned counsel He admits his signature. Consent terms are also signed by the defendant no. 2 Mr. D.L.Maheshwari for self and as a director of defendant no.1. Mr. Maheshwari is personally present in court and is identified by his learned counsel. He admits his signature. Consent terms are also signed by Mr. Vikram Kalani defendant no.3 who is personally present in court and is identified by his counsel. He admits his signature. All the signatories admit their signatures and consent terms. Consent terms are taken on record and marked Exhibit A for identification. There shall be order in terms of consent terms.

3. Previously parties had filed earlier consent terms dated 17th Janaury, 2005. All the parties present also admit the said previous consent terms and their signatures thereon and submit that the consent terms filed today are in addition and supplemental to the previous consent terms. They also pray for an order in terms of both the consent terms. Ordered accordingly. Decree be drawn in accordance with the

two consent terms dated 17th January, 2005 and 4th February, 2005. Undertakings given in the consent terms are recorded and accepted.

4. The sealed envelope filed by the plaintiff in court is taken on record. Receiver is discharged. Receiver to deposit the material in his custody in a sealed envelope with the Prothonotary and Senior Master. Receiver's costs are quantified at Rs.3000/- which shall be paid by the plaintiff within one week.

D.G.KARNIK, J

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO. 129 OF 2005

in

SUIT NO.3388 OF 2004

Jagdeep Kapoor & anr .. Plaintiffs

v/s

Sharuskie Mktg Consul.Ltd & ors .. Defendants

..

Mr.Virag Tulzapurkar i/b DSK Legal for Plaintiffs

Mr.V.R.Dhond i/bMr.H.W.Kane for Defendant nos. 1 & 2

Mr.Sanjay Kher i/b Mr.Rahul Kadam for Defendant no.3

CORAM : D.G.KARNIK, J

DATED: 4thFebruary, 2005.

P.C.

1. All the parties present admit that they have filed separate consent terms dated 4th February, 2005 and as

per clause 5 of the said consent terms previous consent terms are to be incorporated as part of the decree. An order to that effect has already been passed in the suit. Hence, no separate order is necessary on this motion.

D.G.KARNIK, J

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO. 3398 OF 2004

IN

SUIT NO. 3388 OF 2004

Jagdeep Kapoor & ors .. Plaintiffs

v/s

Sharuskie Mktg Consul.Ltd & ors .. Defendants

..

Mr.Virag Tulzapurkar i/b DSK Legal for Plaintiffs

Mr.V.R.Dhond i/b Mr.H.W.Kane for Defendant nos. 1 & 2

Mr.Sanjay Kher i/b Mr.Rahul Kadam for Defendant no.3

CORAM : D.G.KARNIK, J

DATED : 4th February, 2005.

P.C.

1. In view of the consent decree passed in the suit, this motion does not survive and is disposed of.

D.G.KARNIK, J